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# JOURNAL

OF THE

PROCEEDINGS *See*

OF THE

LEGISLATIVE-COUNCIL

OF THE

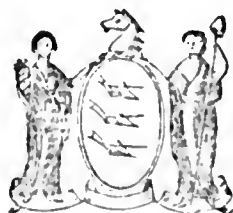
S T A T E

OF

NEW-JERSEY.

CONVENED IN GENERAL ASSEMBLY, AT TRENTON, ON TUESDAY  
THE TWENTY-SECOND DAY OF OCTOBER, SEVEN-  
TEEN HUNDRED NINETY-NINE.

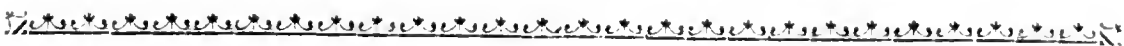
BEING THE FIRST SITTING OF THE TWENTY-FOURTH SESSION.



TRENTON:

PRINTED BY SHERMAN, MERSHON & THOMAS, PRINTERS TO THE STATE.  
M. DCC. XCIX.





LIST of Persons returned as MEMBERS of the LEGISLATIVE-COUNCIL.

<i>Bergen,</i>	The Honorable {	John Outwater,	} Esquires.
<i>Essex,</i>		Daniel Marsh,	
<i>Middlesex,</i>		Ephraim Martin,	
<i>Monmouth,</i>		Asher Holmes,	
<i>Somerset,</i>		Peter DeVroom,	
<i>Burlington,</i>		George Anderson, v. p.	
<i>Gloucester,</i>		Thomas Clark,	
<i>Salem,</i>		William Parret,	
<i>Cape-May,</i>			
<i>Hunterdon,</i>		John Lambert,	
<i>Morris,</i>		Abraham Kitchel,	
<i>Cumberland,</i>		Samuel Ogden,	
<i>Suffex,</i>		Charles Beardlee,	

LIST of Persons returned as MEMBERS of the GENERAL ASSEMBLY.

<i>Bergen,</i>	{	Peter Ward,	} Esquires.
		Thomas Blanch,	
		John Dey,	
<i>Essex,</i>		William S. Pennington,	
		Abraham Speer,	
		Charles Clark,	
<i>Middlesex,</i>		Gersthom Dunn,	
		Benjamin Manning,	
		John Combes,	
<i>Monmouth,</i>		Joseph Stillwell,	
		William Lloyd,	
		Edward Taylor,	
<i>Somerset,</i>		Henry Southard,	
		James VanDuy,	
		William McEwen,	
<i>Burlington,</i>		William Cox, <i>Speaker,</i>	
		Job Lippencott,	
		William Stockton,	
		William Pearson,	
<i>Gloucester,</i>		Joshua L. Howell,	
		Samuel W. Harrison,	
		Thomas Wilkins,	
<i>Salem,</i>		Isaac Mofs,	
		Joseph Shinn,	
		Artis Seagrave,	
<i>Cape-May,</i>		Abijah Smith,	
<i>Hunterdon,</i>		Joseph Hankinson,	
		Stephen Burrowes,	
		John Haas,	
		John Lequear,	
<i>Morris,</i>		William Corwin,	
		Cornelius Voorheese,	
		William Campfield,	
<i>Cumberland,</i>		Jonathan Bowen,	
		George Burgin,	
<i>Suffex,</i>		Levi Howell,	
		Joseph Gaston,	
		William McCullough,	
		Silas Dickerson,	







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# JOURNAL

OF THE

## PROCEEDINGS

OF THE

## LEGISLATIVE-COUNCIL

OF THE

## STATE OF NEW-JERSEY.

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*TRENTON, Tuesday, October 22, 1799.*

### MEMBERS PRESENT.

#### THE HONORABLE

EPHRAIM MARTIN,  
ASHER HOLMES,  
PETER DEVROOM,  
GEORGE ANDERSON,  
THOMAS CLARK,

WILLIAM PARRET,  
JOHN LAMBERT,  
ABRAHAM KITCHEL,  
SAMUEL OGDEN,  
CHARLES BEARDSLEE.

**G**EORGE ANDERSON, esquire, produced a certificate of his being duly elected a member of Council from the county of Burlington, which was read and approved, and he thereupon took and subscribed the oaths prescribed by law, before the honorable William Parret, esquire, one of the members returned for this house, and took his seat in Council.

Ephraim Martin, Asher Holmes, Peter DeVroom, Thomas Clark, William Parret, John Lambert, Abraham Kitchel, Samuel Ogden and Charles Beardslee, esquires, severally produced certificates of their being elected members of this house, which were read and approved, and they thereupon took and subscribed the oaths required by law, before the honorable George Anderson, esquire, and took their seats in Council.

The honorable George Anderson, esquire, was elected vice-president of Council; whereupon, he took the oath of office, and was seated in the chair.

John Beatty, esquire, was unanimously elected secretary of the Council, and took the oath of office accordingly.

John West was appointed door-keeper.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that a sufficient number of members of this house have this day met, elected the honorable George Anderson, esquire, vice-president, John Beatty, their secretary, and have proceeded to business.

A message from the House of Assembly, by Mr. Ewing, their clerk.  
Mr. Vice-President,

The House of Assembly have this day met, elected the honorable William Coxe, their speaker, Maskell Ewing, esquire, their clerk, and have proceeded to business.

*Ordered*, That Mr. DeVroom and Mr. Parret be a committee to prepare and report such standing rules and order of proceeding as may be proper to be observed in this house.

The Council adjourned until ten o'clock to-morrow morning.

*Wednesday, October 23, 1799.*

The house met—Present as yesterday.

Mr. DeVroom, from the committee appointed to prepare and report such standing rules and order of proceeding as may be proper to be observed in this house, reported twelve several rules, which were read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

A message from the House of Assembly, by Mr. Ewing, their clerk.  
Mr. Vice-President,

The House of Assembly have appointed Messrs. Stillwell, Manning, Bergen, J. Howell and Burrowes, a committee on the part of the House of Assembly, for the purpose of settling the accounts of the inspectors of the state-prison, as far as regards the appropriation of monies issued to complete the women's apartment, and that they also settle the accounts of Moore Furman, esquire, appointed to inclose the state-house yard, and request that Council would appoint a committee to join the committee of the House of Assembly for the like purposes.

*Ordered*, That the said message be read a second time.

A letter from John Beatty, esquire, inclosing a statement of the business done in the register's office, for the year preceding, was read and ordered to lay on the table for the information of the members.

The rules and order of proceeding, reported this morning, were, on motion, read a second time and taken into consideration ; whereupon,

*Resolved*, That the following rules for regulating the mode of proceeding on business in the Legislative-Council of this state be adopted for the year ensuing.

1. The president, for the time being, shall not engage in any public debate, without leave of the house, except so far as shall be necessary for regulating the form of proceeding ; but shall, on all occasions, support the strictest order agreeably to the rules here laid down.

2. The first business of each day shall be to read over the minutes of the preceding day, and then the reports of such committees, as shall be ready to report the business to them committed, shall be received.

3. No member shall interrupt the business of the house, by entering into private conversation, during a debate, or whilst any business is before the house that requires the general attention.

4. Every member who rises to speak, shall address himself to the chair, and when any two members shall rise at the same time, the president shall determine which shall speak first.

5. No member shall speak in any debate without rising, nor more than three times on any one subject of debate, unless he first obtain the leave of the house.

6. The members, during a debate, shall all keep their seats, except the member who rises to speak.

7. That on every question for the finally passing of a bill, unless the same pass unanimously, the names of all the members present, with the yeas and nays on such question, shall be entered on the journals of this house, and the like entry shall be made on every other question, if the same shall be moved for by any one member.

8. That when any committee is to be appointed, no member shall nominate more than one.

9. That the vice-president, though in the chair, shall be admitted to vote on every question when the yeas and nays are to be entered on the journals.

10. That all motions entered on the journals of this house, shall be entered in the names of those who make them, provided the same shall be required by any one member.

11. That when any motion is made and seconded, the same shall be debated and determined before any new matter is introduced, unless the previous question shall be first demanded.

12. That in all debates and proceedings the members shall keep themselves within the strictest rules of decency and decorum.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have appointed Messrs. Ward, Lequear, M'Fowen, Voorheese and Pearson, or any three of them, a committee on the part of that house, to settle the accounts of the treasurer, and request that Council would appoint a committee to join the committee of the House of Assembly, for the like purpose.

Mr. Ewing also informed Council, that the House of Assembly are ready to go into a joint-meeting for the purpose of appointing a governor and other officers of the state, and request that Council will appoint the time and place of meeting.

*Ordered,* That the consideration of the foregoing messages be postponed.

Council took into consideration the appointment of a committee to join the committee of the House of Assembly, for the purpose of settling the accounts of the inspectors of the state-prison; whereupon,

*Ordered,* That Mr. Kitchel and Mr. DeVroom, or either of them be a committee on the part of this house, to join the committee of the House of Assembly for the foregoing purpose, and that the secretary do wait on the House of Assembly and acquaint them therewith.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, October 24, 1799.*

The house met—Present as before.

Daniel Marsh, esquire, produced a certificate of his being elected a member of this house from the county of Essex, which was read and approved, and he thereupon took and subscribed the oaths required by law, before the honorable the vice-president, and took his seat in Council.

Council took into consideration the appointment of a committee to join the committee of the House of Assembly for the purpose of settling the treasurer's accounts; whereupon,

*Ordered,* That Mr. Parret and Mr. Marsh, or either of them, be a committee on the part of this house, to join the committee of the House of Assembly, for the foregoing purpose, and that the secretary do wait on the House of Assembly and acquaint them therewith.

The time and place of holding a joint-meeting for the purpose of choosing a Governor and other state officers, was taken into consideration; whereupon,

*Ordered,* That this house will be ready to go into joint-meeting on Tuesday next, at three o'clock, in the Assembly-Room, for the above purposes, and that the secretary do wait on the House of Assembly and acquaint them therewith.

The house adjourned until three o'clock in the afternoon.

The house met.

The house adjourned until ten o'clock to-morrow morning.

*Friday, October 25, 1799.*

The house met—Present as before.

The house adjourned until three o'clock in the afternoon.

The house met.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, October 26, 1799.*

The house met—Present as before.

The house adjourned until ten o'clock on Monday morning.

*Monday, October 28, 1799.*

The house met—Present,

THE HONORABLE THE VICE-PRESIDENT,

Mr. MARSH,

Mr. PARRET,

Mr. MARTIN,

Mr. LAMBERT,

Mr. HOLMES,

Mr. KITCHELL,

Mr. DEVROOM,

Mr. OGDEN,

Mr. CLARK,

Mr. BEARDSLEE.

The house adjourned until three o'clock in the afternoon.

The house met.

John Outwater, esquire, produced a certificate of his being duly elected a member of this house from the county of Bergen, which was read and approved, and he thereupon took and subscribed the oaths required by law, before the honorable the vice-president, and took his seat in Council.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, "An act for the relief of John Tichenor, Jotham Harrison and others;" to which bill they request the concurrence of Council.

Which bill was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, October 29, 1799.*

The house met—Present as before, and Mr. Outwater.

A petition from Messrs. Sherman, Mershon and Thomas, printers, in this

city, praying that they may be appointed to print the journals of the Legislative-Council, was read and ordered a second reading.

The bill, intituled, "An act for the relief of John Tichenor, Jotham Harrison and others," was read a second time and ordered a third reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The house withdrew to attend a joint-meeting, and after some time the house returned, and then

Adjourned until ten o'clock to-morrow morning.

*Wednesday, October 30, 1799.*

The house met—Present as before.

The house withdrew to attend a joint-meeting, and after some time the house returned, and then

Adjourned until three o'clock in the afternoon.

The house met.

The house withdrew to attend a joint-meeting, and after some time the house returned, and then

Adjourned until ten o'clock to-morrow morning.

*Thursday, October 31, 1799.*

The house met—Present as before.

His excellency Richard Howell, esquire, came into the Council-Chamber, and having took and subscribed the oath of allegiance to this state, the oath for the due execution of the office of governor, and an oath to support the constitution of the United States, he was conducted to the chair and took his seat as president of the Council.

A petition from John Edfall and others, praying, for reasons therein set forth, that the real estate of Jacob Edfall, deceased, may be sold, and the monies thence arising appropriated to the bringing up and educating of his children, and that the surplus be distributed among his legal representatives, as directed by law, was read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, "An act for the relief of John Tichenor, Jotham Harrison and others," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Messrs. Outwater,	Parret,	Messrs. Holmes,
Marsh,	Lambert,	DeVroom,
Martin,	Ogden.	Kitchel,
Clark,		Beardslee.

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The house adjourned until ten o'clock to-morrow morning.

*Friday, November 1, 1799.*

The house met—Present as before, except his excellency the Governor.

A message from the House of Assembly by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly approve of the bond executed by James Salter, esquire, and his sureties, for the faithful discharge of his office, as treasurer of the state.

Which bond, being read and approved of by the Council,

*Ordered*, That it be filed in the secretary's office as directed by law.

Mr. Clark, with leave, presented a bill, intituled, "An act supplemental to an act, intituled, "An act concerning inland bills of exchange and notaries public," which was read and ordered a second reading.

The petition of John Edfall and others, praying for a law to enable them to sell the real estate of Jacob Edfall, deceased, was read a second time and ordered to be dismissed.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly request the concurrence of Council in the following resolution :

*Resolved*, That the treasurer be directed to deliver to Jonathan Doan, Moore Furman and Peter Hunt, the bond given by them to the treasurer for the sum of two thousand pounds, dated the tenth day of November, 1798, for the true performance of certain duties of the said Jonathan Doan, in completing certain parts of the state-prison, as directed by law.

Which resolution being read,

*Resolved*, That this house do concur therein.

*Ordered*, That the secretary do wait on the House of Assembly and acquaint them therewith.

Mr. Ewing also brought to this house, for concurrence, a warrant entitling Mary Stewart, late Doty, to draw from the treasurer of this state the amount of the half-pay of her late husband, Isaac Doty, late a sergeant

in the service of the United States, which was read and ordered a second reading.

The petition of Messrs. Sherman, Merfshon and Thomas, printers, praying that they may have the benefit of printing the journals of the Council, was read a second time, and the prayer thereof granted.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, November 2, 1799.*

The house met—Present as before and his excellency the Governor.

The house adjourned until ten o'clock on Monday morning.

*Monday, November 4, 1799.*

The house met—Present,

HIS EXCELLENCY THE GOVERNOR,

THE VICE-PRESIDENT,

Mr. OUTWATER,

Mr. MARSH,

Mr. MARTIN,

Mr. HOLMES,

Mr. DEVROOM,

Mr. CLARK,

Mr. PARRET,

Mr. LAMBERT,

Mr. KITCHEL,

Mr. OGDEN,

Mr. BEARDSLEE.

The bill, intituled, "An act supplemental to an act, intituled, "An act concerning inland bills of exchange and notaries public," was read a second time, and after some debate had thereon,

*Ordered,* That the further consideration of the said bill be postponed.

The warrant entitling Mary Stewart, late Doty, to draw from the treasurer of this state, the amount of the half-pay of her late husband, was read a second time; whereupon,

*Resolved,* That this house do concur therein.

*Ordered,* That the secretary do wait on the House of Assembly, and acquaint them therewith.

The house adjourned until three o'clock in the afternoon.

The house met.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have appointed Messrs. Bowen, Smith and Shinn, a committee on the part of that house to join a committee of the Council, for the purpose of examining and burning the paper money in the treasury,



and request that Council will appoint a committee to join the committee of the House of Assembly for that purpose ;

Which being read,

*Ordered*, That Mr. Beardlee and Mr. Holmes, or either of them, be a committee on the part of Council, to join the committee of the House of Assembly, for the purpose expressed in the foregoing message, and that the secretary do wait on the House of Assembly and acquaint them therewith.

On motion,

*Ordered*, That Messrs. Marsh, Parret and DeVroom, be a committee to take into consideration the 68th section of the act, intituled, " An act for the punishment of crimes," and to report by bill or otherwise, whether any and what alterations may be proper therein.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, November 5, 1799.*

The house met—Present as before.

Mr. Holmes, from the joint-committee appointed to examine, count and destroy the Revenue, Loan-Office and State-Money in the treasury, made the following report :

**W**E, the committees of both houses, do hereby certify, that James Mott, treasurer, delivered to us the sum of three hundred and forty-five dollars and sixty-seven cents, Revenue-Money, agreeably to the above statement, which we have examined, counted and burned.

By order of the committees,

ASHER HOLMES,  
JONATHAN BOWEN.

**W**E, the committees of both houses, do hereby certify, that James Mott, treasurer, delivered to us the sum of two thousand five hundred and sixteen dollars and thirteen cents, Loan-Office money, agreeably to the above statement, which we have examined, counted and burned.

By order of the committees,

ASHER HOLMES,  
JONATHAN BOWEN.

**W**E, the committees of both houses, do hereby certify, that James Mott, treasurer, delivered to us the sum of one thousand nine hundred and eighty-seven dollars and five cents, State-Money, of the emission of June 9, 1780, agreeably to the above statement, which we have examined, counted and burned.

By order of the committees,

ASHER HOLMES,  
JONATHAN BOWEN.

**W**E, the committees of both houses, do hereby certify, that James Mott, treasurer, delivered to us the sum of sixty-two dollars and thirty-three

cents, State-Money, of the emission of January 9, 1781, agreeably to the above statement, which we have examined, counted and burned.

By order of the committees,

ASHER HOLMES,  
JONATHAN BOWEN.

Which report was read and approved.

Council resumed the consideration of the bill, intituled, "An act supplemental to an act, intituled, "An act concerning inland bills of exchange and notaries public," and the same having been amended, but not gone through with,

*Ordered*, That the said bill be committed to Messrs. DeVroom, Clark and Marsh, to consider and report thereon.

The house went into a court of error, and after some time the house returned, and then

Adjourned until three o'clock in the afternoon.

The house met.

The house went into a court of error, and after some time the house returned, and then

Adjourned until ten o'clock to-morrow morning.

*Wednesday, November 6, 1799.*

The house met—Present as before.

Mr. Lambert, with leave, presented a bill, intituled, "A supplement to the act, intituled, "An act to ascertain the times and place of holding the court of appeals, passed the 29th day of January, 1799."

Which was read and ordered a second reading.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, "An act for the relief of Stephen Beckett, Samuel Beckett, and Mary Beckett, administratrix of Peter Beckett, deceased," and a bill, intituled, "An act to discharge Robert Blair, esquire, late sheriff of the county of Somerset from certain fines therein mentioned;" to which bills, they request the concurrence of Council.

Which bills, respectively, were read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, "An act to discharge Robert Blair, esquire, late sheriff of the county of Somerset, from certain fines therein mentioned," was read a second time and ordered a third reading.

The bill, intituled, "An act for the relief of Stephen Beckett, Samuel Beckett and Mary Beckett, administratrix of Peter Beckett, deceased," was read a second time;

On the question, To agree to the said bill ? It was carried in the negative, as follows :

Yeas.	Nays.	Nays.
Messrs. Holmes,	Messrs. Outwater,	Anderfon, <i>v. p.</i>
Clark,	Marth,	Parret,
Lambert,	Martin,	Kitchel,
Beardflee.	DeVroom,	Ogden.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is disagreed to by this house.

Mr. Kitchel, from the joint-committee appointed for the purpose of settling the accounts of the inspectors of the state-prison, so far as regards the appropriation of monies issued to complete the women's apartment, and also the accounts of Moore Furman, appointed to enclose the state-house yard, reported,

**T**HAT they have viewed the women's apartment in the state-prison, and that the same appears to be finished ; that they have examined the accounts of the inspectors, as presented by Moore Furman, with the vouchers accompanying the same, from No. 1 to 78 inclusive, and that there appears to be a balance due the state, of two hundred and three dollars and sixty-one cents.

The committee further report, that they have examined the accounts of Moore Furman, appointed by an act, passed the 19th of February last, to complete the state-house yard, and the vouchers accompanying the same, from No. 1 to 31, inclusive, and there appears to be a balance due the said Moore Furman, of £.28 2s. 1d. equal to seventy-four dollars and ninety-five cents.

By order of the committee.

ABRAHAM KITCHEL,  
JOSEPH STILLWELL.

Which report was read and approved.

Mr. DeVroom, from the committee to whom was referred the bill, intituled, "An act supplemental to an act, intituled, "An act concerning inland bills of exchange and notaries public," reported the same with sundry amendments ; which were read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, November 7, 1799.*

The house met—Present as before.

The bill, intituled, "An act to discharge Robert Blair, esquire, late sheriff of the county of Somerset, from certain fines therein mentioned," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly and acquaint them that the said bill is passed by this house without amendment.

Mr. Anderson, with leave, presented a bill, intituled, "A supplement to the act, intituled, "An act incorporating the inhabitants of townships, designating their powers and regulating their meetings," passed the 21st day of February, 1798, which was read and ordered a second reading.

Petitions from a great number of the inhabitants of the state, praying, for reasons in the said petitions set forth, that a law may be passed, directing the mode and authorizing the people of this state to choose the electors of the President and Vice-President of the United States, either by districts or otherwise, were read and ordered a second reading.

The bill, intituled, "An act supplemental to an act, intituled, "An act concerning inland bills of exchange and notaries public," with the amendments, was read a second time, and the same having been agreed to, and the title amended so as to read, "An act directing the mode of protesting promissory notes and inland bills of exchange,"

*Ordered*, That the said bill be engrossed for a third reading.

Mr. Marsh, from the committee to whom was referred the 68th section of the act, intituled, "An act for the punishment of crimes, reported a bill, intituled, "An act to limit and explain the sixty-eighth section of the act, intituled, "An act for the punishment of crimes," passed the 18th day of March, 1796; which was read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, "A supplement to the act, intituled, "An act incorporating the inhabitants of townships, designating their powers and regulating their meetings," passed the 21st day of February, 1798, was read a second time, and the same having been amended and agreed to,

*Ordered*, That the said bill be engrossed for a third reading.

The house adjourned until ten o'clock to-morrow morning.

*Friday, November 8, 1799.*

The house met—Present as before.

The engrossed bill, intituled, "A supplement to the act, intituled, "An act incorporating the inhabitants of townships, designating their powers and regulating their meetings," passed the 21st day of February, 1798, was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do carry the said bill to the House of Assembly, and request their concurrence therein.

The bill, intituled, "An act to limit and explain the 68th section of the act,

intituled, " An act for the punishment of crimes, passed the 18th March, 1799," was read a second time, and the same having been agreed to,

*Ordered,* That the said bill be engrossed for a third reading.

The engrossed bill, intituled, " An act directing the mode of protesting promissory notes and inland bills of exchange," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That the secretary do carry the said bill to the House of Assembly, and request their concurrence therein.

The petitions, praying for a law to pass, directing the mode and authorizing people of this state to choose the electors of the President and Vice-President of the United States, were read a second time, and after some debate had thereon,

*Ordered,* That the further consideration of the said petitions be postponed.

The house adjourned until three o'clock in the afternoon.

#### The house met.

The engrossed bill, intituled, " An act to limit and explain the sixty-eighth section of the act, intituled, " An act for the punishment of crimes, passed the 18th March, 1799," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Messrs. Marsh,	Lambert,	Messrs. Outwater,
Holmes,	Kitchel,	Martin.
Clark,	Ogden,	
Parret,	Beardslee.	

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That the secretary do carry the said bill to the House of Assembly and request their concurrence therein.

A message from the House of Assembly by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, " An act directing the time and mode of electing representatives, in the House of Representatives of the Congress of the United States, for this state ;" a bill, intituled, " An act for the support of the government of the state of New-Jersey ;" a bill, intituled, " A supplementary act to the act, intituled, " An act to incorporate societies for the promotion of learning," and the bill, intituled, " An act to build a bridge across the south branch of Great-Timber-Creek, in the county of Gloucester," to which several bills they request the concurrence of the Council.

Which bills, respectively, were read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, November 9, 1799.*

The house met—Present as before and his excellency the Governor.

The bill, intituled, “A supplementary act to the act, intituled, “An act to incorporate societies for the promotion of learning,” was read a second time and ordered a third reading.

The bill, intituled, “An act to build a bridge across the fourth branch of Great-Timber-Creek, in the county of Gloucester,” was read a second time and ordered a third reading.

The bill, intituled, “An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state,” was read a second time and ordered a third reading.

The bill, intituled, “An act for the support of the government of the state of New-Jersey,” was read a second time and ordered a third reading.

Mr. Parret, from the joint-committee, appointed on the 24th October, to settle the treasurer’s accounts, reported that the said committee had met, attended to, and stated the accounts of the treasurer, which he was ready to report when the house would be pleased to receive the same.

*Ordered,* That the said report be made immediately; whereupon,

Mr. Parret exhibited the accounts of the treasurer, as settled by the said committee, with the several certificates there under-written; three of which are in the words following:

2. **WE**, the committees of Council and Assembly, appointed to settle the treasurer’s accounts, having examined the above and the vouchers relative thereto, viz. From No. 1 to 191, from No. 1 to 20, from No. 1 to 79, from No. 1 to 44, from No. 1 to 9, from No. 1 to 6, from No. 1 to 9, from No. 1 to No. 2, from No. 1 to No. 2, No. 1, from No. 1 to No. 22, from No. 1 to No. 52, and from No. 1 to No. 2, inclusive, do find a balance of fifty thousand eight hundred and eighty-three dollars and eighty-nine cents, paid by the said James Mott to James Salter, treasurer, agreeably to the above statement.

WILLIAM PARRET,  
PETER WARD.

3. **WE**, the committees of Council and Assembly, appointed to settle the treasurer’s accounts, having examined the above and the vouchers relative thereto, viz. From No. 1 to No. 49, inclusive, do find a balance of eight thousand and thirty-six dollars and ninety-one cents, paid by the said James Mott to James Salter, treasurer, agreeably to the above statement.

WILLIAM PARRET,  
PETER WARD.

1. **WE**, the committees of Council and Assembly, appointed to settle the treasurer’s accounts, having examined the above and the vouchers relative thereto, viz. No. 1 and No. 2, do find a balance of two thousand eight hundred and seventy-two dollars and sixty-six cents and two thirds of a cent, specie, received on the sinking fund tax, due December 1, 1785, and not yet

exchanged, equal in old State Money, to eight thousand six hundred and eighteen dollars, paid by the said James Mott to James Salter, treasurer, agreeably to the above statement.

WILLIAM PARRET,  
PETER WARD.

*Ordered*, That the said accounts lay on the table, for the inspection and consideration of the members.

The house adjourned until ten o'clock on Monday morning.

*Monday, November 11, 1799.*

The house met—Present,  
HIS EXCELLENCY THE GOVERNOR,  
THE VICE-PRESIDENT,

Mr. OUTWATER,	Mr. PARRET,
Mr. MARSH,	Mr. LAMBERT,
Mr. MARTIN,	Mr. KITCHELL,
Mr. HOLMES,	Mr. OGDEN,
Mr. DEVROOM,	Mr. BEARDSLEE.
Mr. CLARK,	

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed a bill, intituled, “ An act to incorporate John Doughty and his associates, proprietors of the Morris Aqueduct,” to which bill they request the concurrence of Council ;

Which bill was read and ordered a second reading.

The bill, intituled, “ An act to build a bridge across the south branch of Great-Timber-Creek, in the county of Gloucester, was read a third time.

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, “ A supplementary act to the act, intituled, “ An act to incorporate societies for the promotion of learning,” was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, “ An act for the support of the government of the state of New-Jersey,” was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the president do sign the said bill.

*Ordered,* That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, " An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the negative, as follows :

Yeas.	Nays.
Messrs. Outwater,	Messrs. Marsh,
Martin,	Holmes,
DeVroom,	Parret,
Anderfon, <i>v. p.</i>	Lambert,
Clark,	Kitchel,
Ogden.	Beardslee.

*Ordered,* That the secretary do wait on the House of Assembly, and acquaint them that the said bill is disagreed to by this house.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, " An act to incorporate John Doughty and his associates, proprietors of the Morris Aqueduct," was read a second time, and after some debate had thereon,

*Ordered,* That the said bill be committed to Messrs. Outwater and DeVroom, to consider and report thereon.

Council took into consideration the report of the joint-committee appointed to settle the treasurer's accounts, and the same having been read a second time ;

*Resolved,* That this house do approve thereof.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, November 12, 1799.*

The house met—Present as before.

The house adjourned until ten o'clock to-morrow morning.



*Wednesday, November 13, 1799.*

The house met—Present as before.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed a bill, intitled, “A supplement to an act intitled, “An act making provision for carrying into effect the act for the punishment of crimes;” a bill, intitled, “An act relative to law reports,” and a bill, intitled, “An act to authorize the president and managers of the company for erecting a bridge over the river Delaware, at the borough of Easton, in the county of Northampton, in the state of Pennsylvania, to sell lottery tickets within this state;” to which several bills they request the concurrence of the Council.

Which bills, respectively, were read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have made an amendment to the bill, intitled, “A supplement to the act, intitled, “An act incorporating the inhabitants of townships, designating their powers and regulating their meetings,” passed the 21st day of February, 1798; to which amendment they request the concurrence of the Council.

Which amendment was read and ordered a second reading.

The house resumed the consideration of the petitions relative to the appointment of electors for choosing the president and vice-president of the United States, and after debate had thereon,

A motion was made by Mr. Marsh, seconded by Mr. Beardlee,

That a committee be appointed to bring in a bill agreeably to the prayer of the petitioners;

On the question, To agree to the said motion? It was carried in the negative, as follows:

Yeas.	Nays.
Messrs. Marsh,	Messrs. Outwater,
Holmes,	Martin,
Parret,	DeVroom,
Lambert,	Anderson, <i>v. p.</i>
Kitchel,	Clark,
Beardlee.	Ogden,
	President.

*Ordered,* That the further consideration of the said petitions be referred to the next session of the Legislature.

Council took into consideration the amendment made to the bill, intitled, “A supplement to the act, intitled, “An act incorporating the inhabitants of

townships, designating their powers and regulating their meetings," passed the 21st day of February, 1798, whereupon ;

*Resolved*, That this house do agree to the said amendment.

*Ordered*, That the said bill be re-engrossed.

The bill, intituled, " An act to authorize the president and managers of the company for erecting a bridge over the river Delaware, at the borough of Easton, in the county of Northampton, in the state of Pennsylvania, to sell lottery tickets within this state," was read a second time and ordered a third reading.

The bill, intituled, " A supplement to the act, intituled, " An act making provision for carrying into effect, the act for the punishment of crimes ;" was read a second time, and after some debate thereon,

*Ordered*, That the further consideration of the said bill be postponed.

Mr. Outwater, from the committee to whom was referred the bill, intituled, " An act to incorporate John Doughty, and his associates, proprietors of the Morris Aqueduct," reported the same with fundry amendments, which were read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, November 14, 1799.*

The house met—Present as before.

The bill, intituled, " An act relative to law reports," was read a second time ;

On the question, To agree to the said bill ? It was carried in the negative.

*Ordered*, That the secretary do wait on the House of Assembly and acquaint them that the said bill is disagreed to by this house.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed a bill, intituled, " An act for the relief of persons imprisoned for debt," to which bill they request the concurrence of the Council.

Which bill was read and ordered a second reading.

The bill, intituled, " An act to incorporate John Doughty and his associates, proprietors of the Morris Aqueduct," with the amendments made thereto, was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill and amendments.

*Ordered*, That the secretary do carry the said bill and amendments to the House of Assembly and request their concurrence in the said amendments.

The re-engrossed bill, intituled, " A supplement to the act, intituled, " An act

incorporating the inhabitants of townships, designating their powers, and regulating their meetings," passed the 21st day of February, 1798, was read and compared ;

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do carry the said bill to the House of Assembly, and acquaint them that the same is passed by this house with their amendment.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, " An act to authorize the president and managers of the company for erecting a bridge over the river Delaware, at the borough of Easton, in the county of Northampton, in the state of Pennsylvania, to sell lottery tickets within this state," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Messrs. Outwater,	Lambert,	Messrs. Marsh,
Holmes,	Kitchel,	Martin,
Anderfon, <i>v. p.</i>	Ogden,	DeVroom.
Clark,	Beardslee.	
Parret,		

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Council resumed the consideration of the bill, intituled, " A supplement to an act, intituled, " An act making provision for carrying into effect, the act for the punishment of crimes ;" and after further debate had thereon,

*Ordered*, That the said bill be committed to Messrs. Parret, Marsh and Outwater, to consider and report thereon.

The bill, intituled, " An act for the relief of persons confined for debt, was read a second time and ordered a third reading.

The house adjourned until ten o'clock to-morrow morning.

*Friday, November 15, 1799.*

The house met—Present as before.

The bill, intituled, " A supplement to the act, intituled, " An act to ascertain the times and place of holding the courts of appeals," passed the 29th day of January, 1799, was read a second time and agreed to ;

*Ordered*, That the said bill be engrossed for a third reading.

The engrossed bill, " A supplement to the act, intituled, " An act to ascertain

the times and place of holding the courts of appeals," passed the 29th day of January, 1799, was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do carry the said bill to the House of Assembly, and request their concurrence therein.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, " An act for the relief of Benjamin Stevenson ;" to which bill they request the concurrence of the Council.

Which bill was read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

Petitions from a number of the inhabitants of the county of Middlesex, praying that a law may pass, directing the mode and authorizing the people of this state to choose the electors of the president and vice-president of the United States, by districts or otherwise, were read and referred to the next session of the Legislature.

The bill, intituled, " An act for the relief of persons imprisoned for debt," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Messrs. Marsh,	Parret,	Messrs. DeVroom,
Martin,	Lambert,	Kitchel,
Holmes,	Ogden.	Beardslee.
Clark,		

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Parret from the committee to whom was referred the bill, intituled, " A supplement to an act, intituled, " An act making provision for carrying into effect the act for the punishment of crimes," reported the same with sundry amendments, which were read and ordered a second reading.

The bill, intituled, " An act for the relief of Benjamin Stevenson," was read a second time, and after some debate had thereon,

*Ordered*, That the further consideration of the said bill be postponed.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, November 16, 1799.*

The house met—Present as before.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed a bill, intituled, “An act to repeal an act, intituled, “A supplement to an act, intituled, “An act for raising a revenue from certain stages, ferries and taverns, and also for the relief of certain stage proprietors therein named;” to which bill they request the concurrence of the Council.

Which bill was read and ordered a second reading.

Mr. Ewing also informed Council, that the bill, intituled, “An act directing the mode of protesting promissory notes and inland bills of exchange,” was disagreed to by the House of Assembly.

Mr. Clark, with leave, presented a bill, intituled, “A supplement to an act, intituled, “An act relative to statutes,” which was read and ordered a second reading.

The bill, intituled, “A supplement to an act, intituled, “An act making provision for carrying into effect the act for the punishment of crimes,” with the amendments, was read a second time and agreed to.

*Ordered,* That the said bill and amendments be read a third time.

Council resumed the consideration of the bill, intituled, “An act for the relief of Benjamin Stevenson,” and,

On the question, To agree to the said bill? It was carried in the negative.

*Ordered,* That the secretary do wait on the House of Assembly, and acquaint them that the said bill is disagreed to by this house.

The house adjourned until three o'clock in the afternoon.

The house met.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed a bill, intituled, “An act for the encouragement and security of a company for procuring an accurate map of this state,” and a bill, intituled, “An act relative to the secretary’s office;” to which bills they request the concurrence of the Council.

Which bills, respectively, were read and ordered a second reading.

Mr. Ewing also presented to Council, for concurrence, the following proposition.

*House of Assembly, November 16, 1799.*

**W**HEREAS the existing constitution of the state of New-Jersey is evidently defective in many important particulars, but as no method is pointed out in the same, whereby a revision can be procured and amendments made in conformity to the will of the people expressed by their delegates freely

chosen and appointed for that purpose : Now, We the members of the Legislative-Council and General Assembly of the said state, although impressed with a conviction that the constitution is defective in several important particulars, and is susceptible of amendment therein ; yet supposing it to be our duty to take the sense of our constituents on the question, previous to any determination thereon ; do, for that purpose, advise and recommend to the citizens of this state, who are authorized to vote at the election for representatives in any township of the same, to attend at the time and place appointed by law for holding the next annual election for members of the Legislative-Council and General Assembly of this state, and then and there, respectively deliver in a paper, on which shall be written, agreeably to the opinion of the voter, the words " Revision, or No Revision." And the clerks of the several townships are hereby required to notify the purport of this resolution, with the lists of nominations of the candidates, and the officers conducting the said elections are hereby required to examine, file and estimate the tickets so delivered in, and forward the amount of the same to the clerks of their respective counties, at the same time, and in the same manner the votes for members of the state Legislature are forwarded ; and the said clerks are hereby required to transmit the same to the secretary of the state, within fifteen days thereafter, in order that the same may be laid before the Legislature immediately after their meeting in October next, that they may take such measures thereon, as to them shall seem proper.

Which was read and ordered a second reading.

Mr. Ewing also brought back to this house the re-engrossed bill, intituled, " An act to incorporate John Doughty and his associates, proprietors of the Morris Aqueduct," and informed Council that the same had been passed by the House of Assembly, with the amendments made thereto by this house.

Which re-engrossed bill having been read and compared ;

*Ordered,* That the president do sign the same.

The house adjourned until ten o'clock on Monday morning.

*Monday, November 18, 1799.*

The house met—Present,

HIS EXCELLENCY THE GOVERNOR,

THE VICE-PRESIDENT,

Mr. OUTWATER,	Mr. PARRET,
Mr. MARSH,	Mr. LAMBERT,
Mr. MARTIN,	Mr. KITCHEL,
Mr. HOLMES,	Mr. OGDEN,
Mr. DEVROOM,	Mr. BEARDSLEE.
Mr. CLARK,	

The bill, intituled, " A supplement to an act, intituled, " An act relative to statutes," was read a second time, and the following section of the bill, being under consideration :

*“ Be it enacted,* That any judgment, decree, sentence or adjudication, which from and after the thirtieth day of June, in the year of our Lord one thousand seven hundred and ninety-nine, hath been, or may be rendered or given on common law, by a court of common law, or of equity, in that part of Great-Britain, called England, shall not have the force of precedent or authority within this state, nor be considered as law, or as evidence of law, within the same.”

On the question, To agree to the said section? It was carried in the negative, as follows :

Yeas.	Nays.	Nays.
Messrs. Outwater,	Messrs. Marsh,	Lambert,
Holmes,	Martin,	Kitchel,
Clark.	DeVroom,	Ogden,
	Parret,	Beardslee.

*Ordered,* That the said bill be dismissed.

The bill, intituled, “ A supplement to an act, intituled, “ An act making provision for carrying into effect the act for the punishment of crimes,” with the amendments made thereto by this house, was read a third time ;

On the question, Whether the said bill, as amended, do pass? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Messrs. Martin,	Parret,	Messrs. Outwater,
Holmes,	Lambert,	Marsh,
DeVroom,	Kitchel,	Beardslee.
Anderson, v. p.	Ogden.	
Clark,		

*Ordered,* That the president do sign the said bill and amendments.

*Ordered,* That the secretary do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed the bill, intituled, “ An act to limit and explain the sixty-eighth section of the act, intituled, “ An act for the punishment of crimes ;” passed the 18th day of March, 1796, with an amendment ; to which amendment they request the concurrence of the Council.

Which amendment being read,

*Resolved,* That this house do concur therein.

*Ordered,* That the said bill be re-engrossed.

The bill, intituled, “ An act to repeal an act, intituled, “ A supplement to an act, intituled, “ An act for raising a revenue from certain stages, ferries and taverns, and also for the relief of certain stage proprietors therein named,” was read a second time, and after some debate had thereon,

*Ordered,* That the said bill be committed to Messrs. Kitchel, DeVroom and Marsh, to consider and report thereon.

The bill, intituled, “ An act relative to the secretary’s office,” was read a second time, and ordered a third reading.

The bill, intitled, " An act for the encouragement and security of a company for procuring an accurate map of this state," was read a second time and ordered a third reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The house withdrew to attend a joint-meeting, and after some time the house returned and then

Adjourned until ten o'clock to-morrow morning.

*Tuesday, November 19, 1799.*

The house met—Present as before, except his excellency the Governor.

The bill, intitled, " An act for the encouragement and security of a company for procuring an accurate map of this state," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Messrs. Outwater,	Parret,	Messrs. Clark,
Marsh,	Lambert,	Beardlee.
Martin,	Kitchel,	
Holmes,	Ogden.	
DeVroom,		

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The re-engrossed bill, intitled, " An act to limit and explain the sixty-eighth section of the act, intitled, " An act for the punishment of crimes," passed the 18th day of March, 1796, was read and compared ;

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That the secretary do carry the said bill to the House of Assembly, and acquaint them that the same is passed by this house with the amendment made thereto by the House of Assembly.

The proposition of the House of Assembly of the 16th instant, relative to a revision of the constitution of this state, was read a second time, and after some debate had thereon,

*Ordered,* That the said proposition be committed to Messrs. Marsh, DeVroom and Outwater, to consider and report thereon.

The bill, intitled, " An act relative to the secretary's office," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *ncm. con.*



*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, "An act to provide for the security of the citizens of this state against the introduction of contagious diseases;" to which bill they request the concurrence of the Council.

Mr. Ewing also brought back to this house the re-engrossed bill, intituled, "A supplement to an act, intituled, "An act making provision for carrying into effect the act for the punishment of crimes," and informed Council that the same had been passed by the House of Assembly, with the amendments made thereto by this house.

Which re-engrossed bill having been read and compared,

*Ordered*, That the vice-president do sign the same.

Mr. Kitchel, from the committee to whom was referred the bill, intituled, "An act to repeal an act, intituled, "A supplement to an act, intituled, "An act for raising a revenue from certain stages, ferries and taverns, and also for the relief of certain stage proprietors therein named," reported the same, with several amendments, which were read and ordered a second reading.

The bill, intituled, "An act to provide for the security of the citizens of this state against the introduction of contagious diseases," was read a second time and ordered a third reading.

The bill, intituled, "An act to repeal an act, intituled, "A supplement to an act, intituled, "An act for raising a revenue from certain stages, ferries and taverns, and also for the relief of certain stage proprietors therein named," with the amendments made thereto, was read a second time and ordered a third reading.

The house adjourned until three o'clock in the afternoon.

The house met.—Present as in the forenoon, and his excellency the Governor.

The bill, intituled, "An act to repeal an act, intituled, "A supplement to an act, intituled, "An act for raising a revenue from certain stages, ferries and taverns, and also for the relief of certain stage proprietors therein named," with the amendments made thereto by this house, was read a third time, and the title amended so as to read, "An act for the relief of certain stage proprietors, and to repeal certain acts relative to public stages;"

On the question, To agree to the said bill, as amended ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill and amendments.

*Ordered*, That the secretary do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

The bill, intituled, "An act to provide for the security of the citizens of this

state against the introduction of contagious diseases," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nay.
Messrs. Outwater,	Parret,	Mr. Holmes.
Marsh,	Lambert,	
Martin,	Kitchel,	
DeVroom,	Ogden,	
Anderfon, <i>v. p.</i>	Beardslee.	
Clark,		

*Ordered*, That the president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Marsh, from the committee to whom was referred the proposition from the House of Assembly of the 16th instant, respecting a revision of the constitution of this state, reported the same with several amendments, which were read, and the same, by special motion, being read a second time and further amended to read as follows :

**W**HEREAS the existing constitution of the state of New-Jersey is evidently defective in many important particulars, but as no method is pointed out in the same, whereby a revision can be procured and amendments made in conformity to the will of the people expressed by their delegates freely chosen and appointed for that purpose : Now, We the members of the Legislative-Council and General Assembly of the said state, although impressed with a conviction that the constitution is defective in several important particulars, and is susceptible of amendment therein ; yet supposing it to be our duty to take the sense of our constituents on the question, previous to any determination thereon ; do, for that purpose, advise and recommend to the citizens of this state, who are authorized to vote at the election for representatives in any township of the same, to attend at the time and place appointed by law for holding the next annual election for members of the Legislative-Council and General Assembly of this state, and then and there, respectively deliver in a ticket, on which shall be written, in addition to the names of the candidates for the Legislative-Council and General Assembly, sheriffs and coroners, also the word " Revision," or " No Revision," agreeably to the opinion of the voter.—And the clerks of the several townships are hereby required to notify the purport of this resolution, with the lists of nominations of the candidates ; and the officers conducting the said elections are hereby required to examine, file and estimate the tickets so delivered in, and forward the amount of the same to the clerks of their respective counties, at the same time, and in the same manner the votes for members of the state Legislature are forwarded ; and the said clerks are hereby required to transmit the same to the secretary of the state, within fifteen days thereafter, in order that the same may be laid before the Legislature immediately after their meeting in October next ; and if upon examining the returns of the clerks of the respective counties, it shall appear that two thirds of the townships in nine counties shall have held an election in pursuance of this recommendation, and that a majority of the voters at said elections, shall have given in tickets with the word *revision* wrote

thereon, then it is recommended to the said Legislature to make provision for revising the constitution of this state, by pursuing, as nearly as the public convenience will admit of it, the following method, and by no means departing from the provision of a second convention to ratify, confirm and establish, or to disallow, the constitution reported by the first convention, and that the assent of two thirds of all the members of the said second convention shall be necessary to a confirmation and ratification of the said constitution :

1<sup>st</sup>. That on the second Tuesday in February, Anno Domini one thousand eight hundred and one, all free male persons, who have resided six months previous thereto, in any one county of this state, being citizens of the state, and who shall have attained to the age of twenty-one years, do, by plurality of votes, choose a number of persons equal to twice the number of representatives of the respective counties in the House of Assembly of this state, as delegates to represent them in a general convention, to be holden at Trenton, on the third Tuesday of May following, for the purpose of revising, altering and amending the constitution of this state, except that part of the third section thereof which establishes that the members of the Legislative-Council and General Assembly shall be annual, and that part of the twenty-second section in the said charter respecting the trial by jury, and the whole of the 18th and 19th sections of the same.

2<sup>d</sup>. That the said convention of delegates, so chosen, do cause three thousand copies of the frame of government, agreed upon by them, to be printed for the consideration of the good people of this state, to be distributed in the same proportion and in the same manner as the acts of the Legislature are by law directed to be distributed, and also to direct a copy thereof to be printed in each of the newspapers published in this state, at least four times, and then to adjourn without day.

3<sup>d</sup>. That on the second Tuesday in October following, all free male persons qualified as aforesaid, do, by a plurality of votes, choose a number of persons equal to the number of representatives of the respective counties of this state, as delegates to represent them in a second General Convention, to be holden at Trenton on the second Tuesday of January, in the year of our Lord one thousand eight hundred and two ; and that the said convention when met and organized, do proceed to take into consideration the constitution so as aforesaid revised, altered and amended, and either ratify, confirm and establish the same, as the constitution of the state of New-Jersey, or reject, annul or disallow the same, as to the said convention shall appear most conducive to the happiness and welfare of the people of the state—Provided that the said constitution shall not be confirmed and established, unless two thirds of all the members of the convention last aforesaid are personally present and assenting thereto—That in case the said constitution be confirmed and established as aforesaid, the said last mentioned convention shall fix the time for the commencement of its operation.

4<sup>th</sup>. That the nominations for persons to represent the several counties of this state in the first convention aforesaid, be made on the first Thursday in January, Anno Domini one thousand eight hundred and one, and that the nominations for the persons to represent the several counties of this state, in the second convention aforesaid, be made on the first Monday in September

following, at the court-houses of the respective counties, and that the elections for the said delegates be held at the same hours, continue for the same time, and be conducted in the same manner and by the same officers as are by law provided for election of the members of the state Legislature.

*Resolved*, That this house do concur therein.

*Ordered*, That the secretary do carry the said proposition, as amended, to the House of Assembly, and request their concurrence in the said amendments.

A message from the House of Assembly, by Messrs. Southard, Pearson and Lloyd.

Mr. President,

The House of Assembly have directed us, on the part of that house, to prefer to the Council, the following resolutions :

*House of Assembly, November 19, 1799.*

*Resolved*, That the House of Assembly do impeach Elijah Godfrey of malpractice and misdemeanor, as a justice of the peace.

1. That on or about the 25th day of April last he did take cognizance of judicial proceedings of Eleazer Hand, justice of the peace for the county of Cape-May, and rendered judgment against him.

2. For entering and recording, as a verdict against Eleazer Hand, the report of a jury, when two of the jurors did not agree to a verdict ; all which proceedings appear to have been done from improper or corrupt motives.

*Resolved*, That the foregoing charges be presented to Council, and that Council be requested to summon the said Elijah Godfrey to appear before them, to answer to the same, and that subpoenas be issued to Joseph Hughes, Eleazer Hand, esquire, and Hezekiah Richardson of said county of Cape-May, to appear as witnesses in support of said charges.

*Ordered*, That Messrs. Southard, Pearson and Lloyd be managers on the part of this house, to conduct the business before Council.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. President,

The House of Assembly have passed a bill, intitled, " An act for the relief of Robert Lewis," a bill, intitled, " An act to provide for the distribution of the revised laws of this state, and to appropriate a further sum of money towards defraying the expenses of the revision," and a bill, intitled, " An act to revise and continue in force a certain act therein mentioned ;" to which several bills they request the concurrence of the Council.

Which bills, respectively, were read and ordered a second reading.

The house adjourned until nine o'clock to-morrow morning.

*Wednesday, November 20, 1799.*

The house met—Present as before, except the governor.

Resolutions of the House of Assembly, impeaching Elijah Godfrey,

of mal-practice and misdemeanor as a justice of the peace," were read a second time ; whereupon,

*Ordered*, That a hearing on the foregoing impeachment be had on the second Wednesday of the next sitting of the Legislative-Council, at ten o'clock in the forenoon, and that a copy of the said impeachment, together with a summons, be served on the said Elijah Godfrey, to appear before this house on the said second Wednesday, to answer to the same.

*Ordered*, That subpoenas be issued to Joseph Hughes, Eleazer Hand, esquire, and Hezekiah Richardson, all of the county of Cape-May, to appear at the same time, as witnesses in support of the said charges.

*Ordered*, That the said summonses and subpoenas be severally served, at least twenty days before the day of hearing aforesaid, and that on application of the said Elijah Godfrey to the secretary of this house, subpoenas do issue for his witnesses to attend on the day aforesaid.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, "An act for the relief of Thomas Skillman;" a bill intituled, "A supplement to the act, intituled, "An act concerning promissory notes and inland bills of exchange and notaries public," and a bill, intituled, "An act to defray sundry incidental charges;" to which several bills they request the concurrence of the Council.

Which bills, respectively, were read and ordered a second reading.

Mr. Ewing also brought back to this house the re-engrossed bill, intituled, "An act for the relief of certain stage proprietors, and to repeal certain acts relative to public stages," and acquainted Council that the said bill was passed by the House of Assembly, with the amendments made thereto by this house.

Which re-engrossed bill having been read and compared,

*Ordered*, That the vice-president do sign the same.

Mr. Ewing also acquainted Council that the bill, intituled, "A supplement to the act, intituled, "An act to ascertain the times and places of holding the courts of appeals," passed the 29th day of January, 1799, was disagreed to by the House of Assembly.

The bill, intituled, "An act to provide for the distribution of the revised laws of this state, and to appropriate a further sum of money towards defraying the expenses of the revision," was read a second time and after some debate had thereon,

*Ordered*, That the said bill be committed to Messrs. Outwater and DeVroom to consider and report thereon.

The bill, intituled, "An act to revive and continue in force a certain act therein mentioned," was read a second time and ordered a third reading.

The bill, intituled, "An act for the relief of Robert Lewis," was read a second time and ordered a third reading.

The bill, intituled, "An act for the relief of Thomas Skillman," was read a second time and ordered a third reading.

The bill, intituled, "An act to defray fundry incidental charges," was read a second time, and the vouchers accompanying it examined and compared ;

*Ordered*, That the said bill be read a third time.

The bill, intituled, "A supplement to the act, intituled, "An act concerning promissory notes and inland bills of exchange and notaries public," was read a second time, and,

On the question, To agree to the said bill ? It was carried in the negative.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is disagreed to by this house.

The bill, intituled, "An act to revive and continue in force a certain act therein mentioned," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, "An act for the relief of Robert Lewis," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, "An act for the relief of Thomas Skillman," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, "An act to defray fundry incidental charges," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly request the concurrence of the Council in the following resolution :

*Resolved*, That David Wrighter, shall, in the recess of the Legislature, have

the grafts on the state-house lot, as a compensation for taking care of said lot and watering the trees."

Which resolution being read,

*Resolved*, That this house do not concur therein.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said resolution is disagreed to by this house.

The house adjourned until three o'clock in the afternoon.

The house met.

John Townsend, esquire, chosen, at the late annual election, to represent the county of Cape-May, as a member of this house, having neglected or refused to take his seat, pursuant to his election, or to send forward a satisfactory excuse within twenty days after the meeting of the Legislature,

*Ordered*, That the vice-president do issue his warrant to the clerk of the said county of Cape-May, to hold an election for a suitable person to represent the said county in the Council of this state, for the remainder of the present year, in the room and stead of the said John Townsend, who hath declined to attend as aforesaid.

Mr. Outwater, from the committee to whom was referred the bill, intituled, "An act to provide for the distribution of the revised laws of this state, and to appropriate a further sum of money towards defraying the expenses of the revision," reported the same with sundry amendments, which being read a second and third time,

On the question, Whether the said bill, as amended, do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Messrs. Outwater,	Parret,	Messrs. Holmes,
Marsh,	Kitchel,	Lambert.
Martin,	Ogden,	
DeVroom,	Beardslee.	
Clark,		

*Ordered*, That the vice-president do sign the said bill and amendments.

*Ordered*, That the secretary do carry the said bill and amendments to the House of Assembly and request their concurrence in the said amendments.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed a bill, intituled, "An act respecting suits, for the recovery of monies due to the state;" to which bill they request the concurrence of the Council."

Which bill was read and ordered a second reading.

Mr. Ewing, also presented for concurrence the following resolution:

*Resolved*, That David Wrighter, as a compensation for his taking care of the state-house and lot, during the recess of the Legislature, be and he is hereby entitled to mow and take off what grafts may grow on the said lot.

Which being read,

*Resolved*, That this house do reject the said resolution.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said resolution is rejected by this house.

Mr. Ewing also brought back to this house, the propositions respecting a revision of the constitution of the state, and acquainted Council that the same were passed by the House of Assembly, with the amendments made thereto by this house.

The bill, intituled, "An act respecting suits for the recovery of monies due to the state," was read a second time and ordered a third reading.

The house adjourned until eight o'clock to-morrow morning.

*Thursday, November 21, 1799.*

The house met—Present as before.

The bill, intituled, "An act respecting suits for the recovery of monies due to the state," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nay.
Messrs. Outwater,	Kitchel,	Mr. Marsh.
Martin,	Lambert,	
DeVroom,	Ogden,	
Holmes,	Beardslee.	
Clark,		
Parret,		

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That the secretary do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

A message from the House of Assembly, by Mr. Ewing, their clerk.

Mr. Vice-President,

The House of Assembly have passed the bill, intituled, "An act to provide for the distribution of the revised laws of this state, and to appropriate a further sum of money towards defraying the expenses of the revision," with the several amendments made thereto by Council, and have caused the bill to be re-engrossed.

Which re-engrossed bill having been read and compared,

*Ordered*, That the vice-president do sign the same.

The honorable William Coxe, jun. esquire, speaker of the House of Assembly, came into the Council-Chamber, and acquainted the vice-president, that the House of Assembly had gone through their business, and had adjourned *sine die*;

Whereupon, Council adjourned *sine die*, also.

By virtue of an order of Council, I appoint Messrs. Sherman, Mershon and Thomas to print the Journals of this house.

GEO: ANDERSON, *Vice-President*.









